



## TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION

In re application of : Greg Andrews  
Assignee : Varian Medical Systems, Inc.  
Serial No. : 09/656,076  
For : Stationary Anode Assembly for  
X-Ray Tube  
Filed : September 6, 2000  
Examiner : Pamela D. Hobden  
Group Art Unit : 2882

**ASSISTANT COMMISSIONER OF PATENTS**  
**Washington, D.C. 20231**

Dear Sir:

Assignee, through its attorney of record, represents that it is the owner of the entire interest in the above-identified patent application. Assignee is the owner of this application because the inventor assigned all of his rights in this application to the Assignee, and this assignment is recorded in the United States Patent and Trademark Office at Reel 011069, Frame 0200.

Assignee, hereby disclaims, except as provided below, the terminal part of any patent granted on the above-identified application that would extend beyond the expiration date of the full statutory term of United States Patent No. 6,115,454, which was filed on July 12, 1999, as presently shortened by any terminal disclaimer. Assignee agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to it and the prior patent are commonly owned. This agreement is to run with any patent granted on the above-identified application and is to be binding upon the grantor, its successors or assigns.


Assignee, however, does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of the prior patent in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321(a), has all claims canceled by a reexamination certificate, is reissued or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Assignee hereby declares that all statements made herein of its own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated this 18<sup>th</sup> day of June 2002.

Respectfully submitted,

WORKMAN, NYDEGGER & SEELEY

By: 

ERIC L. MASCHOFF  
Registration No. 36,596  
Attorney of Record

WORKMAN, NYDEGGER & SEELEY  
1000 Eagle Gate Tower  
60 East South Temple  
Salt Lake City, Utah 84111  
Telephone: (801) 533-9800  
Facsimile: (801) 328-1707

Date: June 18, 2002



**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL  
DOUBLE PATENTING REJECTION**

In re application of : Greg Andrews  
 Assignee : Varian Medical Systems, Inc.  
 Serial No. : 09/656,076  
 For : Stationary Anode Assembly for  
       X-Ray Tube  
 Filed : September 6, 2000  
 Examiner : Pamela D. Hobden  
 Group Art Unit : 2882

**RECEIVED**

JUL 0 8 2002

OFFICE OF THE SPECIAL  
PROGRAMS EXAMINER

RECEIVED  
JUL -2 2002  
TECHNOLOGY CENTER 2800

9/Terminal  
Disclaimer

**ASSISTANT COMMISSIONER OF PATENTS  
Washington, D.C. 20231**

Dear Sir:

Assignee, through its attorney of record, represents that it is the owner of the entire interest in the above-identified patent application. Assignee is the owner of this application because the inventor assigned all of his rights in this application to the Assignee, and this assignment is recorded in the United States Patent and Trademark Office at Reel 011069, Frame 0200.

Assignee, hereby disclaims, except as provided below, the terminal part of any patent granted on the above-identified application that would extend beyond the expiration date of the full statutory term of United States Patent Application Serial No. 09/351,579, which was filed on July 12, 1999, as presently shortened by any terminal disclaimer. Assignee agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to it and the prior patent are commonly owned. This agreement is to run with any patent granted on the above-identified application and is to be binding upon the grantor, its successors or assigns.

Assignee, however, does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of the prior patent in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321(a), has all claims canceled by a reexamination certificate, is reissued or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Assignee hereby declares that all statements made herein of its own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

06/28/2002 CCHAU1 00000037 09656076


02 FC:148

110.00 00

Dated this 18<sup>th</sup> day of June 2002.

Respectfully submitted,

WORKMAN, NYDEGGER & SEELEY

By:   
ERIC L. MASCHOFF  
Registration No. 36,596  
Attorney of Record


WORKMAN, NYDEGGER & SEELEY  
1000 Eagle Gate Tower  
60 East South Temple  
Salt Lake City, Utah 84111  
Telephone: (801) 533-9800  
Facsimile: (801) 328-1707

G:\WPDOCS3\RCGLifetime Products Inc\8.3 Terminal Disclaimer.doc

TERMINAL DISCLAIMER  
APPROVED

JUL 10 2002

TECHNOLOGY CENTER 2800  
SPECIAL PROGRAM CENTER

  
SHARON S. HOPPE  
PARALEGAL SPECIALIST  
TECHNOLOGY CENTER 2800